



JUDICIAL COUNCIL OF
CALIFORNIA
ADMINISTRATIVE OFFICE
OF THE COURTS
Public Information Office
455 Golden Gate Avenue
San Francisco, CA 94102-3688
www.courtinfo.ca.gov

415-865-7740

Lynn Holton
Public Information Officer

NEWS RELEASE

Release Number: 89

Release Date: December 5, 2006

Judicial Council Adopts New Rules to Improve Jury Practice in California

Note-Taking by Jurors to Be Allowed; Other Practices to Reflect Innovative Practices Across State

San Francisco—As part of a decade-long effort to improve the state jury system, the Judicial Council of California has adopted new rules that allow jurors to take notes during all civil and criminal trials and to submit questions to witnesses.

Effective January 1, 2007, the rules are designed to encourage the use of innovative jury practices in the trial courts and to institutionalize certain practices that have been successful in state pilot projects.

Under the new rules, jurors will be permitted to take written notes in all civil and criminal trials. While note-taking is widely used in state courts, there is no statewide requirement that all courts permit this practice. The new rule requires judges to allow jurors to take notes and to inform jurors that they may take written notes during trials, and it requires courts to provide suitable materials for this purpose.

Other new juror rules include the following:

- A rule recommending that judges encourage counsel in complex civil cases to prepare notebooks for jurors that contain trial-related materials, such as notes, witness lists, seating charts, exhibits lists, and other material as appropriate;
- A rule recommending that judges permit jurors to submit written questions directed to witnesses;
- A rule authorizing judges to permit counsel to make brief opening statements about a case to the entire jury panel before jury selection;
- A rule authorizing judges to preinstruct the jury on the basic principles of law that will govern the proceedings, as well as on the roles and responsibilities of the jurors overall;

(over)

- A rule authorizing judges to provide assistance to jurors at an impasse through additional or clarifying instructions and through additional closing arguments from counsel.

OTHER ACTIONS

In other actions at a public business meeting on Friday, the council:

Legislative Priorities for Courts: Adopted new legislative priorities for 2007, which would increase access to court interpreters in civil proceedings, create new judgeships to ease growing caseloads in trial courts, expedite the court facility transfer process, and modify the judicial retirement system.

Domestic Violence: Accepted an interim report from the Judicial Council Domestic Violence Practice and Procedure Task Force that summarized its fact-finding activities since its appointment by Chief Justice George one year ago. One of the task force's key actions is the creation of a pilot project it has launched to improve entry of protective orders into a statewide database. At the first of the year, the task force will distribute recommended practices and guidelines for public discussion. The task force will issue its final report in December 2007.

Juvenile Dependency: Directed that AOC present a final program report on the Dependency Representation, Administration, Funding, and Training (DRAFT) be presented in August 2007. That report will include recommendations on caseload, compensation, and performance standards for statewide implementation.

Security Funding for Courthouses: Approved allocation of one-time and ongoing Trial Court State Appropriations Limit funding for security-related costs for several trial court facilities scheduled to open or transfer from July 1, 2006 to September 30, 2007. This includes funding for equipment and staff to implement entrance screening stations, security personnel to transport prisoners within the courthouse and to staff holding cells and control rooms. Other one-time costs that were not related to entrance screening stations were referred to the Administrative Office of the Court's Emergency Response & Security unit for review and consideration.

Trial Court Allocations: As authorized by California rule of court and statute, the council approved the yearly allocation of specific revenue deposited in the Trial Court Improvement Fund—20 percent to the trial courts in the counties from which the revenue was deposited and 60 percent for retention in the fund to support ongoing statewide technology and administrative infrastructure projects.

The Judicial Council is the policymaking body of the California courts, the largest court system in the nation. Under the leadership of the Chief Justice and in accordance with the California Constitution, the council is responsible for ensuring the consistent, independent, impartial, and accessible administration of justice. The Administrative Office of the Courts carries out the official actions of the council and promotes leadership and excellence in court administration.